

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

FEDERAL TRADE COMMISSION; STATE OF
NEW YORK; STATE OF CALIFORNIA;
STATE OF ILLINOIS; STATE OF NORTH
CAROLINA; STATE OF OHIO;
COMMONWEALTH OF PENNSYLVANIA;
and COMMONWEALTH OF VIRGINIA,

Plaintiffs,

v.

VYERA PHARMACEUTICALS, LLC;
PHOENIXUS AG; MARTIN SHKRELI,
individually, as an owner and former director of
Phoenixus AG and a former executive of Vyera
Pharmaceuticals, LLC; and KEVIN
MULLEADY, individually, as an owner and
director of Phoenixus AG and a former executive
of Vyera Pharmaceuticals, LLC,

Defendants.

Case No. 20-cv-00706 (DLC)

ECF Case

**DEFENDANT MARTIN SHKRELI'S NOTICE OF
MOTION *IN LIMINE* TO EXCLUDE CERTAIN OF PLAINTIFFS' PROPOSED TRIAL
EXHIBITS AND DEPOSITION TESTIMONY AS AGAINST MR. SHKRELI**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, Defendant Martin Shkreli will move this Court before the Honorable Denise L. Cote, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, 10007, on a date and time to be set by the Court, for an order excluding certain statements of individuals other than Mr. Shkreli contained in the Depositions and Exhibits offered by plaintiffs, and to require plaintiffs to individually establish admissibility against Mr. Shkreli for any other out-of-court statements, and for such other relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that answering papers must be served on or before November 3, 2021 and any reply will be served on or before November 10, 2021 pursuant to the scheduling order entered by the Court on April 1, 2021. *See* ECF No. 409.

Dated: October 20, 2021

Respectfully submitted,

By: /s/ Christopher H. Casey

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